

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed December 29, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 101**

Claims 1-28 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses.

Applicant has amended claims 16 and 27 in the manner suggested by the Examiner. In view of those amendments, Applicant respectfully requests that the rejections be withdrawn as to claims 16-20, 27, and 28.

Turning to independent claims 1, 10, and 24, 35 U.S.C. § 101 identifies the various types of inventions that are patentable. In particular, the section provides as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof may obtain a patent therefor, subject to the conditions and requirements of this title.

Applicant respectfully submits that each of Applicant's claimed inventions falls within the invention categories established by Section 101.

Regarding independent claim 1, Applicant explicitly recites a "method". Clearly, a "method" qualifies as a "process" as identified by 35 U.S.C. § 101. Applicant therefore

submits that claims 1-9 comprise statutory subject matter and requests that the rejection be withdrawn as to these claims.

Regarding independent claim 10, Applicant explicitly recites a “system” comprising various “means” for performing defined actions. Such a “system” qualifies as a “machine” and/or “manufacture” under 35 U.S.C. § 101. Applicant therefore submits that claims 10-15 comprise statutory subject matter and requests that the rejection be withdrawn as to these claims.

Finally, regarding independent claim 24, Applicant explicitly recites a “device”. Clearly, a “device” qualifies as a “machine” and/or a “manufacture” under 35 U.S.C. § 101. Applicant therefore submits that claims 24-26 comprise statutory subject matter and requests that the rejection be withdrawn as to these claims.

## **II. Claim Rejections - 35 U.S.C. § 102(a)**

Claims 1-28 have been rejected under 35 U.S.C. § 102(a) as being anticipated by Johnson, et al. (“Johnson,” U.S. Pat. No. 2004/0212651). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(a). In the present case, not every feature of the claimed invention is represented in the Johnson reference.

As is apparent from the above, Applicant has either amended or canceled each original claim of the Application. In view of those amendments/cancellations, Applicant submits that the rejections are moot as having been drawn against Applicant's claims in another form. Applicant therefore requests that the rejections be withdrawn. Applicant discusses the Johnson reference and Applicant's claims in the following, however, for the Examiner's consideration.

Johnson discloses a replaceable printer component. Johnson, Application Title. More particularly, Johnson discloses a replaceable printer component 20, such as an inkjet or toner cartridge, comprising memory 21 that is configured for storing a "printer unique identifier" that identifies a printer for which the component is authorized and a "component unique identifier" that identifies the component. Johnson, paragraphs 0013-0016. A user can write the printer unique identifier to the component memory using a read/write manager 14. Johnson, paragraph 0035. Once the printer unique identifier has been written to the component memory, the component will only be usable with the printer that the printer unique identifier identifies. Johnson, paragraph 0017.

In view of the above discussion of the Johnson disclosure, it is clear that Johnson does not anticipate any component encoding relating to "geographical region". Instead, Johnson appears to be more concerned with associating a particular component (e.g., ink/toner cartridge) with a particular peripheral device (e.g., printer) irrespective of the geographical region in which the peripheral device is used or the geographical region for which the component is intended. Given that each of Applicant's remaining independent claims pertains to geographical region encoding and associated issues, Johnson cannot be

said to teach “each and every limitation” of those independent claims and, therefore, cannot be said to anticipate the claims.

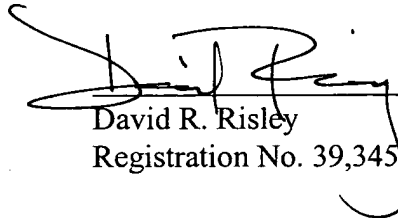
### **III. Canceled Claims**

Claims 2, 11, 13, 14, and 20-23 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

### CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

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Signature